

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Edward Greef, on February 16, 2017 at 3:00 PM, in Room 172  
Capitol

#### ROLL CALL

##### **Members Present:**

Rep. Edward Greef, Chair (R)  
Rep. Forrest Mandeville, Vice Chair (R)  
Rep. Kathy Swanson, Vice Chair (D)  
Rep. Laurie Bishop (D)  
Rep. Amanda Curtis (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Dave Fern (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Frank Garner (R)  
Rep. Bruce Grubbs (R)  
Rep. Steve Gunderson (R)  
Rep. Adam Hertz (R)  
Rep. Kathy Kelker (D)  
Rep. Derek Skees (R)  
Rep. Jeremy Trebas (R)  
Rep. Barry Usher (R)

##### **Members Excused:**

Rep. Kim Abbott (D)  
Rep. Geraldine Custer (R)  
Rep. Denise Hayman (D)  
Rep. Jessica Karjala (D)  
Rep. Steve Lavin (R)  
Rep. Susan Webber (D)  
Rep. Daniel Zolnikov (R)

**Members Absent:** None

**Staff Present:** Ginger Aldrich, Legislative Branch  
Margot Miltenberger, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 422, 2/9/2017; HB 416, 2/13/2017; HB 445, 2/13/2017  
Executive Action on: HB 373; HB 405

**HEARING ON HB 422**

**Opening Statement by Sponsor:**

00:01:45 Rep. Rob Cook (R), HD 18, opened the hearing on HB 422, Generally revising laws related to local governments.

**Proponents:**

00:03:22 Steve Austin, Department of Revenue (DOR)

00:06:20 Dan Whyte, Department of Revenue (DOR)

**EXHIBIT(lah34a01)**

00:11:42 Harold Blattie, Montana Association of Counties (MACo)

00:15:04 Tim Burton, Montana League of Cities and Towns (MLCT)

**Opponents:** None

**Informational Witnesses:** None

**Questions from Committee Members and Responses:**

00:16:13 Rep. A. Hertz  
00:17:16 Rep. Cook  
00:17:34 Rep. A. Hertz  
00:17:53 Harold Blattie, MACo  
00:18:37 Rep. A. Hertz  
00:19:01 Rep. Cook  
00:19:16 Rep. Kelker  
00:20:25 Dan Whyte, DOR  
00:21:55 Rep. Kelker  
00:24:31 Steve Austin, DOR  
00:25:11 Rep. Fern  
00:25:56 Harold Blattie, MACo  
00:27:17 Rep. Lavin joined the meeting  
00:27:34 Rep. Fern  
00:28:01 Dan Whyte, DOR  
00:28:26 Rep. Garner  
00:29:21 Rep. Cook  
00:29:56 Rep. Skees  
00:30:40 Rep. Cook  
00:31:04 Rep. Skees  
00:31:47 Steve Austin, DOR  
00:32:13 Rep. Skees  
00:34:04 Dan Whyte, DOR  
00:34:41 Rep. Usher  
00:35:25 Rep. Cook

**Closing by Sponsor:**

00:36:22 Rep. Cook

00:38:17 Ginger Aldrich, Legislative Services Division (LSD)

00:38:20 Chair Greef relinquished the chair to Vice Chair Mandeville

**HEARING ON HB 416**

**Opening Statement by Sponsor:**

00:38:48 Rep. Edward Greef (R), HD 88, opened the hearing on HB 416, Revise local government subdivision review.

00:39:09 Rep. Custer joined the meeting

**Proponents:**

00:41:18 Tara DePuy, Montana Association of Counties (MACo)

**EXHIBIT**(loh34a02)

00:50:33 Commissioner Greg Chilcott, Ravalli County, Montana Association of Counties (MACo)

**EXHIBIT**(loh34a03)

00:55:14 Commissioner Don Seifert, Gallatin County

00:56:54 Commissioner Andy Hunthausen, Lewis and Clark County, Montana Association of Counties (MACo)

00:57:30 Kelly Lynch, Montana League of Cities and Towns (MLCT)

01:00:43 Abigail St. Lawrence, Montana Building Industry Association (MBIA)

01:01:26 James Anderson, Montana Association of Realtors (MAR)

**Opponents:**

01:03:04 Anne Hedges, Montana Environmental Information Center (MEIC)

**EXHIBIT**(loh34a04)

01:10:31 Jeff Barber, Montana Smartgrowth Coalition, Clark Fork Coalition

**Informational Witnesses:** None

**Questions from Committee Members and Responses:**

01:11:14 Rep. A. Hertz

01:13:22 Tara DePuy, MACo

01:14:22 Rep. Bishop

01:16:17 Tara DePuy, MACo

01:16:43 Rep. Fern

01:17:30 Tara DePuy, MACo

01:18:36 Rep. Garner

01:19:03 Anne Hedges, MEIC

01:19:42 Rep. Trebas

01:20:34 Tara DePuy, MACo

01:21:40 Rep. Skees

01:22:54 Tara DePuy, MACo

01:23:57 Rep. Mandeville

01:24:19 Tara DePuy, MACo

01:25:18 Rep. Mandeville

01:25:37 Greg Chilcott

01:25:49 Rep. Mandeville

01:27:31 Tara DePuy, MACo

**Closing by Sponsor:**

01:27:46 Rep. Greef

**HEARING ON HB 445**

**Opening Statement by Sponsor:**

01:29:03 Rep. Edward Greef (R), HD 88, opened the hearing on HB 445, Revise local government subdivision review laws.

**Proponents:**

01:31:27 Tara DePuy, Montana Association of Counties (MACo)

**EXHIBIT(lah34a05)**

01:44:15 Abigail St. Lawrence, Montana Building Industry Association (MBIA)

01:45:29 Commissioner Greg Chilcott, Ravalli County, Montana Association of Counties (MACo)

**EXHIBIT(lah34a06)**

01:48:33 Commissioner Don Seifert, Gallatin County

01:49:50 Kelly Lynch, Montana League of Cities and Towns (MLCT)

01:51:42 Commissioner Andy Hunthausen, Lewis and Clark County, Montana Association of Counties (MACo)

01:52:21 Jeff Barber, Montana Association of Planners (MAP), Montana Smartgrowth Coalition

01:55:04 Anne Hedges, Montana Environmental Information Center (MEIC)

01:56:31 James Anderson, Montana Association of Realtors (MAR)

**Opponents:** None

**Informational Witnesses:** None

**Questions from Committee Members and Responses:**

01:59:12 Rep. A. Hertz

02:04:35 Kelly Lynch, MLCT

02:06:00 Rep. Gunderson

02:06:29 Commissioner Greg Chilcott, Ravalli County, Montana Association of Counties (MACo)

02:07:14 Rep. Gunderson

02:09:19 Commissioner Don Seifert, Gallatin County

02:10:06 Rep. Usher

02:12:25 Tara DePuy, MACo

02:13:04 Rep. Skees

02:15:45 Tara DePuy, MACo

02:17:15 Rep. Fern

02:18:32 Rep. Greef

02:19:34 Rep. Gunderson

02:22:40 Tara DePuy, MACo

02:23:52 Rep. A. Hertz

02:27:30 Tara DePuy, MACo

02:28:57 Rep. Usher

02:30:10 Tara DePuy, MACo

02:30:47 Rep. Mandeville  
02:35:12 Kelly Lynch, MLCT

**Closing by Sponsor:**

02:35:43 Rep. Greef

02:35:59 Chair Greef resumed the Chair

**Committee Business:**

02:40:45 Ginger Aldrich, LSD  
02:41:55 Chair Greef  
02:42:12 Rep. Bishop  
02:42:39 Ginger Aldrich, LSD  
02:43:29 Rep. Gunderson  
02:43:48 Chair Greef  
02:44:10 Rep. Kelker  
02:44:31 Rep. Usher  
02:45:02 Chair Greef  
02:45:09 Rep. Garner  
02:45:57 Ginger Aldrich, LSD  
02:46:09 Rep. Dunwell  
02:46:27 Chair Greef

**EXECUTIVE ACTION ON HB 373**

02:47:17 **Motion:** Rep. Mandeville moved that **HB 373 DO PASS.**

**Discussion:**

02:47:39 Rep. Mandeville  
02:48:04 Rep. Grubbs

02:48:42 **Motion:** Rep. A. Hertz moved that **HB 373 BE AMENDED.**  
**EXHIBIT**(loh34a07)

**Discussion:**

02:49:18 Rep. A. Hertz  
02:50:57 Rep. Grubbs  
02:51:18 Rep. A. Hertz  
02:51:42 Rep. Custer

02:52:42 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Curtis, Rep. Hayman, Rep. Karjala, Rep. Webber and Rep. Zolnikov voted by proxy.

02:53:48 **Motion:** Rep. Mandeville moved that **HB 373 DO PASS AS AMENDED.**

02:53:56 **Vote:** Motion carried 21-2 by voice vote with Rep. Mandeville and Rep. Zolnikov voting no. Rep. Abbott, Rep. Curtis, Rep. Hayman, Rep. Karjala, Rep. Webber and Rep. Zolnikov voted by proxy.

**EXECUTIVE ACTION ON HB 405**

02:55:02     **Motion/Vote:** Rep. Mandeville moved that **HB 405 DO PASS**. Motion carried 22-1 by voice vote with Rep. Zolnikov voting no. Rep. Abbott, Rep. Curtis, Rep. Hayman, Rep. Karjala, Rep. Webber and Rep. Zolnikov voted by proxy.

**ADJOURNMENT**

Adjournment: 02:57:11

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Margot Miltenberger, Secretary

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Additional Documents:

**EXHIBIT**([loh34aad.pdf](#))